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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. STEVENS).

The PRESIDENT pro tempore. Today's prayer will be offered by our guest Chaplain, Dr. George D. McKinney, of Saint Stephens's Church of God in Christ in San Diego, CA.

PRAYER

The guest Chaplain offered the following prayer:

May we pray together.

Eternal God, Creator of the universe, the Source of life, order, and truth, we bow in reverence in Your presence. We thank You for divine favor and all the values and principles that continue to shape our national character and challenge us to greatness.

We pray for our Nation, our President, his family, Cabinet, and advisors. Grant wisdom and courage to the Senators as they fulfill their responsibility to our great Nation. Empower all who shoulder the responsibility of leadership and servanthood. May our duties become delightful because of Your gifts of joy, faith, and hope.

Lord, we are grateful for the privilege of working together with You for peace and justice for all people. We affirm with our Founding Fathers and Mothers that we are one Nation under God, with a common goal of liberty and justice for all. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RECOGNITION OF THE ACTING MAJORITY LEADER

The PRESIDENT pro tempore. The acting majority leader.

SCHEDULE

Mr. BENNETT. Mr. President, the Senate will spend the day in executive session deliberating, once again, and for the ninth day, the nomination of Miguel Estrada to be a circuit court judge for the DC Circuit. The Senate will recess from 12:15 to 2:30 for the weekly party lunches. Between now and the next recess we have a number of important issues that the majority leader would like to see addressed. Therefore, he hopes we can get passed this delay and let the Senate work its will on this nomination. Senators should be advised, therefore, that roll-call votes are possible during the day.

The PRESIDENT pro tempore. The deputy minority leader.

Mr. REID. Mr. President, I say to my friend—in fact, the two Senators from Utah—that, as I indicated to the majority leader last night, there are three ways we can move off Estrada. The nomination can be pulled. The decision can be made by this administration that he will supply the memos from the Solicitor's Office while he worked there that he wrote and allow more questioning of Estrada. Thirdly, the majority leader can file a motion to invoke cloture to see if there are the 60 votes to move ahead.

If that does not happen, we can stay on Estrada for a long time. If there are other things to do—and I mentioned yesterday I doubt that there are—if there are other things to do, then let's move to those. If not, then we can stay in this procedural quagmire, which is something that has been done in the past.

As I indicated yesterday, there have been, of course, filibusters of Presidential nominations in the past and Presidential nominations of judges. They usually are not as open and notorious as this, the reason being they come at a later time in the session where time is of the essence. Now time is not of the essence. There are other things that the leader has decided are

not important enough to be on the floor at this stage.

So I would hope that everyone would understand that we are anxious to move on to other judicial nominations. We are anxious to move on to other legislative matters. But as long as Miguel Estrada refuses to answer the questions or to submit the memos that we have requested, this is going to be the procedural posture of the Senate.

The PRESIDING OFFICER (Mr. CORNYN). The Senator from Utah.

Mr. HATCH. Mr. President, I have listened to the distinguished Senator from Nevada, and I have a few things to say.

Mr. President, I rise today to address, once again, the nomination of Miguel Estrada for the United States Court of Appeals for the District of Columbia Circuit.

Are we ready to go?

The PRESIDING OFFICER. Will the Senator suspend for the Senate to lay down the pending orders, please.

RESERVATION OF LEADER TIME

The PRESIDING OFFICER. Under the previous order, the leadership time is reserved.

EXECUTIVE SESSION

NOMINATION OF MIGUEL A. ESTRADA, OF VIRGINIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT

The PRESIDING OFFICER. Under the previous order, the Senate will now go into executive session and resume consideration of Executive Calendar No. 21, which the clerk will report.

The legislative clerk read the nomination of Miguel A. Estrada, of Virginia, to be United States Circuit Judge for the District of Columbia Circuit.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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